

S. Korean Party Presses Bugging Issue

By William Chapman

Washington Post Foreign Service

SEOUL—Although the South Korean government has officially closed the book on the Blue House bugging incident, a number of voices are continuing to demand that the United States be forced to explain what really happened.

The Foreign Ministry said Monday in a roundabout way that it accepted the U.S. ambassador's denial that there had once been a bug in the Blue House, President Park Chung Hee's official residence.

But some newspapers and the weak opposition New Democratic Party declared that the incident should not be closed until the United States offers a clarification.

The party chairman, Lee Chul-Seung, said he did not believe the denial, and insisted that a more influential American, such as President Carter, should offer an explanation.

Lee said in an interview that he tended to believe the word of former ambassador William Porter that the United States had bugged the Blue House sometime before he arrived in 1967.

The denial of Porter's version on Monday by Ambassador Richard Sneider "will never satisfy the feelings of the Korean people," he added. Porter said Monday that he did not actually know if there was bugging before his arrival in Seoul, only that he had been told there was.

Porter's earlier comments, made in a television interview, triggered a week of anti-American demonstrations in Seoul.

Meanwhile U.S. officials said they believed the Seoul government tolerated demonstrations to vent its frustrations about a long series of U.S. rebuffs and humiliations, most of them growing out of the Tongsun Park affair.

Letting the demonstrations continue, they said, was also a way of pressuring for a written U.S. denial. That in itself, they said, was evidence

that President Park's government was feeling an unusual amount of public pressure to stand up to the United States.

"It was triggered by a long chain of events in which we were seen to be pushing them around and being insensitive to their national sovereignty," one official said. "It is what Koreans call 'big-power chauvinism.'"

Among those incidents, he added, was the government's reluctant decision to make Tongsun Park available for questioning in the United States. Another is the pressure to make available for questioning South Korea's former ambassador to Washington, Kim Dong Jo, who also has been implicated in the lobbying scandal.

In both instances, the government at first appeared adamant against cooperating with U.S. officials. There was a burst of public anger, still expressed privately by government officials, when the U.S. investigators required Park to come into the U.S. Embassy here to sign papers concerning his questioning.

The government seemed to come around to a more cooperative position only when threatened with a loss of the \$800 million in military equipment promised as compensation for the impending withdrawal of U.S. troops.

Coming on top of those incidents, the U.S. officials said, the reported bugging triggered anti-U.S. demonstrations and provoked the government into allowing them to continue.

According to the embassy's analysis, some of those protests may have been spontaneous but others were not. The government, which does not permit street demonstrations, decided not to bottle them up until a written denial was extracted, the U.S. officials assume.

Seoul's newspapers, which often reflect a government line, also had a field day comparing the immorality of the alleged bugging to the accusations of immoral lobbying lodged against Tongsun Park and other Koreans.

The lobbying investigation, said the government-owned Korea Herald, was supposedly "intended to uphold the integrity and morality of American politics. If American politics should endorse such an immoral act as spying on the presidential office of a friendly nation, it would amount to telling the world that U.S. morality has two faces."

According to news accounts Monday, Foreign Minister Park Tong Jin told a group of government and ruling-party leaders that the U.S. denial had closed the issue of the alleged bugging.

Lee, the opposition party chairman, indicated, that he intends to pursue the matter within the National Assembly. The New Democratic Party usually supports the government on important issues but occasionally ventures to stake out its own positions.

Sneider's denial, he said, "is not good enough. At least we should have an apology for the bugging and assurances that it will never happen again."

"Suppose that Tongsun Park and Kim Dong Jo would just deny doing anything wrong," he added. "Would that have been enough to satisfy the United States?"

Furtive Meetings, Surveillance Led to Espionage Indictments

By Christopher Dickey
Washington Post Staff Writer

Almost exactly a year ago a Vietnamese woman code-named "Keyseat" by her superiors at the FBI and CIA arrived in Paris carrying a flight bag filled with at least 49 classified U.S. State Department documents.

Two days later she turned the documents over to representatives of the Hanoi government, who thought she was working as a spy for them.

The Vietnamese in Paris were interested in the documents because they were just about to start talks with the Carter administration about U.S.-Vietnamese relations. The war had been over for two years, the Vietnamese were cooperating in the identification of remains of Americans missing in action, and they expected the United States to support their admission to the United Nations. The mood was hopeful.

But throughout April, May and June of 1977, as the diplomatic negotiations in Paris held the attention of the press, another quite secret drama involving the Americans and the Vietnamese was being played out on the streets of Washington.

Furtive meetings in a Dupont Circle cafeteria, a suburban shopping mall and the home of a well-known Vietnamese expatriate in Washington soon would come to the attention of President Carter and the highest officials of his administration.

Because of the way they chose to investigate what they believed to be a serious case of espionage, important constitutional questions have been raised. Attorney General Griffin Bell went to court to defend his actions and considerable attention has been focused on a trial, which is scheduled to begin May 1 in federal court in Alexandria. It will be one of the very few espionage cases to be tried in recent years and the only one to grow out of this nation's long involvement with Vietnam.

The attorney general first learned of the case the day after the opening round of talks in Paris was over, when he received urgent phone calls from Deputy Secretary of State Warren Christopher and FBI Director Clarence Kelley.

They arranged a meeting for the next day, where Bell was told of an FBI operation called "Magic Dragon," a counterintelligence investigation of Vietnamese antiwar activist David Truong whose father ran as a peace candidate against Vietnamese President Thieu in 1967 and subsequently was jailed. Truong was known among antiwar legislators on Capitol Hill as a respected source of information about what was "really" going on in Vietnam during the war.

"Magic Dragon," Bell was told, had uncovered "one of the worst leaks in State Department history."

The attorney general said in court recently that he was asked during that April meeting to help find out just who was taking the documents, and exactly where they were coming from. He said he was told they might endanger the lives of foreign embassy personnel in Hanoi who had supplied the United States with information.

Bell said he was not shown the documents during the meeting, and according to an FBI affidavit it was not known at the time how many were classified—how secret they were or were not—because whoever had taken them removed such information.

But Bell said recently he was impressed with the gravity of the situation as Christopher and the FBI presented it. "I thought in my own limited way," he said, "that something had been done wrong to our country."

He was asked, he said, to "prevent and detect" the leaks. And one way to do it, he was told, was to authorize a warrantless wiretap on Truong's telephone.

It was Friday, May 6, and the attorney general was getting ready for a leisurely weekend in Louisville for the Kentucky Derby. He had been, for some time, in the middle of several complicated problems that would be complicated even more by such a case.

"When I became attorney general," he said in court, "I didn't know the attorney general engaged in counterintelligence activities."

Since taking office, however, he discovered he was not only involved, but often on the defensive caught up in the conflict between the duty to protect the nation from espionage and the people's Fourth Amendment right to privacy.

The debate over a president's "inherent power" to authorize searches and wiretaps without a court order, raised during Watergate, still raged in the headlines.

Even as the Carter administration was unveiling legislation to require secret warrants in such cases a retired FBI agent in New York was indicted for illegal wiretaps and burglaries conducted in 1972. (The investigation of that case would eventually lead to rifts in the Justice Department and the indictment of former acting FBI director L. Patrick Gray III.)

Bell decided to go to Louisville for the weekend. But on the day he came back to Washington he used the "inherent power" delegated to him by the president to authorize a tap on Truong's telephone.

Bell also decided to pay a personal visit to the president to discuss the case. "Keyseat" would be coming back soon with a letter to Truong from a Vietnamese official in Paris, and Bell got the president to authorize its opening.

"I applaud your business plans," it said, according to an FBI translation, but it warned that "very often there are efforts to swindle and deceive one another."

According to court records the wiretap on Truong's phone went into operation on May 11 and ran continuously until after he was arrested. In all, more than 550 conversations were recorded, dealing with everything from "Star Wars" to the subtleties of Vietnamese cooking.

But within two days after the tape started rolling—on May 13 at 6:33 p.m.—the FBI had, essentially, what it wanted: Truong was overheard asking someone named Ron to stop by his apartment, and when a pale, baldish man arrived there a little after 10 that night the FBI was watching.

When the man came out of the gray building on F Street about an hour later, an FBI agent followed him. He walked through the wide, dark streets near George Washington University and past the World Bank to the United States Information Agency building a few blocks away.

The agent watched as the elevator indicator in the USIA lobby counted its way up to the seventh floor. The agent then checked the sign-in register where he found the name: "R. Humphrey."

Soon, Bell was asked for another

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authorization—to place, without a court warrant, a listening device in Truong's apartment, in case there were secrets being discussed there. After carefully going over the methods that would be used to plant it, Bell approved the microphone.

After May 27, every sound made in Truong's apartment was overheard by the FBI.

Finally the president authorized television surveillance in the USIA office thought to be the source of the leaks. From June 15 until the end of the summer every move made there was observed, according to court testimony, by two video lenses peering down from the ceiling.

The object of their attention was Ronald Louis Humphrey—later to be indicted as Truong's codefendant. But at the time, according to his lawyers, he was mostly preoccupied with efforts to get his Vietnamese common-law wife and stepchildren out of Vietnam, where they had been trapped since the fall of Saigon.

Humphrey secured their release just a month after the FBI told the attorney general that federal agents had found the man who could be taking the documents—classified cables, many of which Humphrey had access to a night "watch officer" in the USIA communications room.

After the FBI began to concentrate its investigation on Humphrey, the question became, Bell said, how to stop the leaks.

According to FBI agents there are a number of different ways to handle such a case.

An alleged spy might have been put in a position where access to classified material was limited.

Or a suspected spy might be "doubled"—persuaded to work for United States counterintelligence. (Humphrey's lawyer says that Humphrey did cooperate in the investigation of an alleged Russian agent late in 1976.)

These or similar measures, if they had been possible, would have gone relatively unnoticed. Another way to proceed, however, was criminal prosecution, and during the summer of 1977, though there were many obstacles and objections, that is the course Bell decided to take.

The Supreme Court has never ruled on the use of warrantless electronic surveillance in a foreign intelligence investigation, and the District of Columbia's U.S. Circuit Court of Appeals has questioned its legality.

Federal courts in Virginia, however, generally have expressed fewer reservations on such issues.

On June 22 "Keyseat" arranged to meet Truong at the Landmark Shopping Center in Alexandria, according to her testimony in court. She said she didn't want to go too far from her home in Springfield—where she was making preparations for a move to London—and in any case she was afraid to drive around Washington at night.

Truong borrowed a car to get there, and as three FBI agents took pictures from a distance he gave "Keyseat" a grocery bag full of papers, the court was told.

Inside the bag, according to court records, were 33 more State Department documents, 28 of them clearly labeled confidential, and one Defense Intelligence Agency paper marked "secret," according to government inventories.

It is some of these documents that the government used as a basis for the present indictment of Truong and Humphrey. The reason, according to prosecutors, was to make sure the case would be tried in Virginia.

Regardless of where it came to court, however, Bell knew that he could not make an espionage case against Truong or Humphrey without revealing the contents of some or all of the documents involved.

Because of her intimate involvement with the investigation, he also felt he would have to have the testimony of "Keyseat."

Her civilian name is Dung Krall. Her father is a former Vietcong ambassador to the Soviet Union, but for more than a decade she has been married to an American who recently identified himself as a naval intelligence officer.

Over the summer, as Bell sought to get the release of the documents and the court testimony of "Keyseat," one prosecutor has said he met with "tremendous opposition" from within the State Department and the National Security Council. The CIA, meanwhile, was not about to give up its agent.

Early one August afternoon, Bell drove out to Langley to talk with CIA Director Stansfield Turner about

"Keyseat." Soon afterward her FBI and CIA case officers flew to London to talk to her about testifying.

She said she would think about it.

Meanwhile, however, Vietnamese-American relations had begun to worsen.

Though the United States agreed to back Vietnam's admission as a full member of the United Nations after the negotiating sessions in May and June, and there was talk of exchanging diplomatic missions, the question of money Hanoi said it was promised in 1973 to "heal the wounds of war" remained unresolved. The Vietnamese insisted on it, and the United States refused to budge.

At about the same time as the December talks in Paris, the State Department gave the "necessary approvals" for prosecution of Truong and Humphrey, according to an affidavit signed by Bell.

During the last week of January 1978, after the government agreed to pay \$11,800 for her relocation and protection, in addition to her monthly fee of \$1,200, Keyseat agreed to testify.

Jan. 31, Truong and Humphrey were arrested and charged with crimes of espionage that could put them in jail for three lifetimes.

The indictment named Vietnamese Embassy officials in Paris, and Dinh Ba Thi, the Vietnamese ambassador to the United Nations, as unindicted co-conspirators. Within days Thi was ordered out of the country—a move that had never before been taken against a U.N. ambassador.

To further complicate matters at the State Department, nearly 20 foreign nations had to be told that the same documents Truong and Humphrey are accused of stealing—which allegedly compromise foreign embassy personnel in Hanoi—may be made public during the trial, and in most cases were knowingly handed over to the Vietnamese by "Keyseat."

The day Truong was arrested, FBI agents fanned out across the country to interrogate people who had been overheard on his telephone, were his close friends, or who might have information pertinent to the case.

At the Justice Department there is a story about Bell's mood on the day of the arrests.

People who were at a staff breakfast that morning now say they cannot remember exactly what was said. "These things are very informal, you know," one told a reporter.

But the story that made the rounds has Bell walking into the breakfast in a great humor. "Today, boys," he is supposed to have told them, "we're going to catch us a real spy."

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FBI, Secret Service, Internal Revenue Agents Would Probe Misuse of Federal Investigations

NEW YORK (AP)—A group representing 6,000 FBI, Secret Service and Internal Revenue Service agents has called for an inquiry into the way the government begins investigations and what it does with the information it gathers.

"Recent history has shown that government leaders have taken vast liberties with their power to order investigations," said Robert Nesoff, spokesman for the Federal Criminal Investigators Association.

"Too often the onus falls on the

field agent when he follows orders of his superiors. He has no way of knowing, especially in cases of national security, whether his orders are legal or not," he said.

In light of recent indictments of federal agents, Nesoff said, many investigators are "hesitating to follow orders" without knowing where the orders originated. He said agents are "disheartened and demoralized" and their "future effectiveness is in jeopardy because public sentiment is low."

Claiming that many congressmen cannot be trusted with confidential information and that the Carter administration may be involved in misusing agents, Nesoff called for establishment of an independent commission to look into misuses of agents.

Nesoff said the White House acted improperly when it ordered an investigation into an allegation that presidential aide Hamilton Jordan had spilled a drink down a woman's dress in a Washington bar.

Hill Eyes Disclosure Bill for Grass-Roots Lobby

By Mary Russell

Washington Post Staff Writer

Because of computerized mailing lists, Congress has been increasingly subjected to so-called grass-roots lobbying pressure in the past few years.

Basically that means that an organization, through computerized mailing lists, has contacted a large number of people urging them to write their members of Congress on an issue.

Peace and environmental groups started the process in a small way. But business, the latest entry into the field, has added size and sophistication and as a result has scored some impressive victories in the 95th Congress.

Defeat of a cargo preference bill, a bill to expand construction site picketing and a bill to establish a consumer protection agency have all been chalked up to business-generated mail overcoming the Democrats' two-thirds majority in the House.

"It seems beyond question that the major growth area of organization lobbying today is that done through grass-roots lobbying," Common Cause President David Cohen says, admitting at the same time that 70 percent of the money his group spends on lobbying is spent on that technique.

Andrew Weinstein of Ralph Nader's Congress Watch said that not only are considerable money and effort spent on the mass-mailing campaigns but also that a "whole outside industry has developed to service these needs."

Weinstein cited Richard Vignerie, whose Virginia-based firm provides

mailing lists for many conservative and right-wing groups and coalitions.

Though they are susceptible to the pressure, many members of Congress also find the mail generated by this technique an irritant, and complain that it distorts the view from back home as much as it helps them discover their constituents' beliefs.

The next two days should determine whether house members want to do something about it. The house will debate today a bill to expand public disclosure of lobbying activities. The key issue is whether organizations that have to register under the bill must disclose their attempts to generate grass-roots pressure. The bill as drafted by the House Judiciary Committee does not cover grass-roots lobbying, but an attempt is to be made to add it on the floor.

Common Cause and Congress Watch say it is "essential" and that no bill would be complete without giving the public this information.

But a strange-bedfellow coalition of the left, the right, the American Civil Liberties Union and the Chamber of Commerce oppose it.

The ACLU argues that the Supreme Court ruled on a 1946 lobby disclosure law that only direct contacts of members by lobbyists could be regulated, and reporting grass-roots efforts would be unconstitutional.

The ACLU and members of the Black Caucus will also fight another floor attempt to require organizations that have to register to disclose their major contributors. They argue that this could have a chilling effect on contributions to, for instance, black or gay organizations, and would also be unconstitutional.

The bill is expected to pass easily, largely because many lobbyists' groups say they think that the significantly modified Judiciary Committee version is the best they can get. "Members of Congress have imposed disclosure on themselves, they sure

aren't going to let us off the hook," one lobbyist said.

But many amendments are expected as organizations try to change portions affecting themselves. Nader's group, for instance, is expected to oppose attempts to include unpaid volunteers in the registration requirements.

And law firms and consultants who do lobbying on a retainer basis are opposed to the portion that would require any company that pays them more than \$2,500 a quarter to register and report their expenditures and activities as lobbyists, though the retainers themselves don't have to report unless lobbying is their sole source of income. William Timmons, head of one of the largest retainer-lobbying groups, said many companies will simply drop their retainers rather than do the bookkeeping.